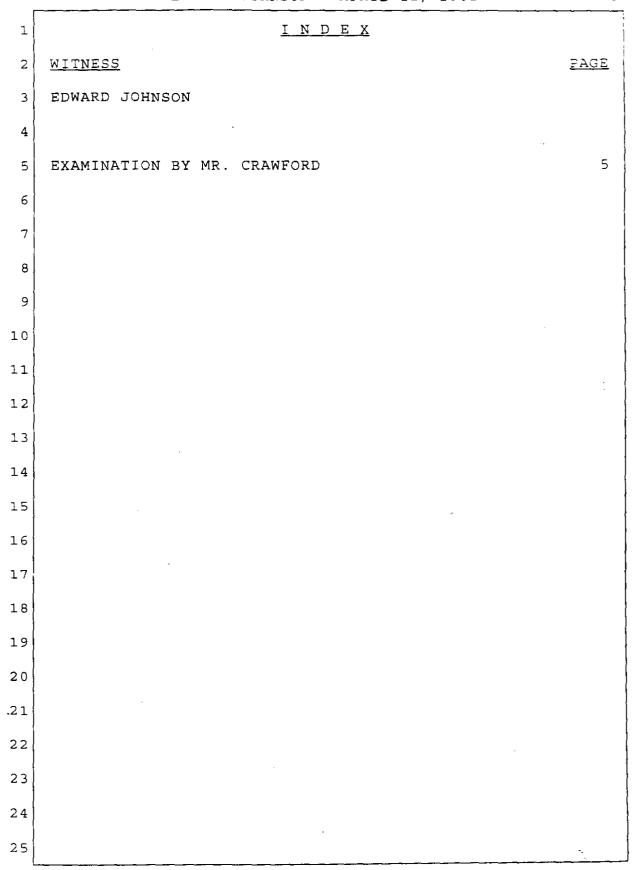
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1
                        DOCKET NO. 25004
 2
   Complaint and Request of
 3
   EL PASO NETWORKS, LLC,
 4
                                        BEFORE THE PUBLIC
   For Interim Ruling for Post
                                       UTILITY COMMISSION
   Interconnection Agreement
                                        OF TEXAS
   Dispute Resolution With
   Southwestern Bell Telephone
   Company
 7
                        DOCKET NO. 25188
 8
   Petition of
 9
   EL PASO NETWORKS, LLC,
10
   For Arbitration Pursuant to
11
    Section 252(b) of the
                                       BEFORE THE PUBLIC
   Communications Act of 1934,
                                       UTILITY COMMISSION
12
   as amended by the
                                       OF TEXAS
   Telecommunications Act of
   1996, and PURA for Rates,
13
   Terms, and Conditions of
    Interconnection Agreement
14
   with Southwestern Bell
15
   Telephone
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18
                       ORAL DEPOSITION OF
19
                         EDWARD JOHNSON
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21
                         APRIL 11, 2002
22
                                                 EXHIBIT
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                                                 EPN - 42
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ORAL DEPOSITION of EDWARD JOHNSON,
 1
   produced as a witness at the instance of El Paso
 2
   Networks, and duly sworn, was taken in the above-styled
 3
    and numbered cause on the 11th of April, 2002, from 9:01
 4
    a.m. to 1:29 p.m., before Nancy P. Blankenship, CSR in
 5
    and for the State of Texas, reported by machine
 6
    shorthand, at the offices of Hughes & Luce, LLP, 1717
 7
    Main Street, Suite 2800, in the City of Dallas, County
 8
    of Dallas, State of Texas, pursuant to the Texas Rules
 9
    of Civil Procedure and the provisions stated on the
10
    record.
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	ATKII 11, 2002
1	APPEARANCES
2	FOR EL PASO NETWORKS LLC: Mr. Stephen Crawford
3	1001 Louisiana Houston, Texas 77002
4	(713) 420-5896
5	FOR SOUTHWESTERN BELL TELEPHONE COMPANY:
6	Mr. Floyd R. Hartley HUGHES & LUCE, LLP
7	1717 Main Street, Suite 2800 Dallas, Texas 75201
8	Barras, rexas /3201
9	ALSO PRESENT: Patty Hogue
10	racty nogue
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PROCEEDINGS

EDWARD JOHNSON,

3 having been first duly sworn, testified as follows:

EXAMINATION

9:01:18 BY MR. CRAWFORD:

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- Hi, Mr. Johnson. My name is Steve Crawford. 9:01:25 **Q**.
- 9:01:29 We just met, correct?
- 9:01:30 Α. Yes.
- I'm an attorney for El Paso Networks. Also, 9:01:35 10 I'm based in Houston, so we are both traveling to Dallas
- for this fun session here. 19:01:39 11
- 19:01:40 12 Before we get going, I wanted to just get
- 9:01:42 13 a few things on the record. You understand that I
- :01:47 14 represent El Paso Networks. I'm an attorney. You
-)9:01:51 15 understand that this gentleman to your left here,
 - Mr. Hartley, is an attorney for Southwestern Bell
 - Telephone Company.
 - Α. Yes.
- 09:01:59 19 Q. And that he's here on your behalf today?
- 09:02:03 20 Α. Yes.
- Okay. You know, Mr. Johnson, if at any point, 09:02:04 21 Q.
- 09:02:08 22 you need a break or anything, you just let me know.
- 09:02:11 23 This is rather informal, although you are under oath,
- 09:02:15 24 and if you need to stop and take a break or stretch your
 - 02:18 25 | legs or whatever, you just let me know. Okay?

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		EDWARD JOHNSON - APRIL 11, 2002
7:02:21	1	A. Okay.
02:21	2	Q. You understand that you are under oath today,
9:02:23	3	though?
9:02:24	4	A. Yes.
9:02:24	5	Q. Just as if you were in the courtroom in a
9:02:27	6	federal district court?
9:02:27	7	A. Right.
9:02:29	8	Q. All right. And sir, finally I'd like you to
9:02:33	9	agree with me that if at any point today you don't
9:02:36	10	understand my question, that you'll ask for a
9:02:39	11	clarification.
9:02:39	12	A. Will do.
9:02:40	13	Q. Okay. I certainly do not want you to answer
:02:42	14	something that I'm unclear on or that I speak too fast
9:02:47	15	or garble my words or anything else. If you're unclear
9:02:52	16	on my question, you get me to repeat it.
19:02:54	17	A. Okay.
19:02:54	18	Q. All right.
19:02:56	19	Mr. Johnson, what is your full name?
)9:02:59	20	A. It's Edward Nayland Johnson, and that middle
9:03:01	21	name is spelled N-A-Y-L-A-N-D.
)9:03:09	22	Q. And what is your current employment title?
09:03:14	23	A. It's senior project manager, global markets

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And what department is that in?

)9:03:20 24

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customer care.

Q.

9:03:25	1	A. It's in a global markets customer care.
03:31	2	Q. And is that in the network side of the house,
9:03:34	3	the engineering side of the house
9:03:36	4 !	A. Global markets.
9:03:40	5	Q. Global markets?
9:03:41	6	A. It's global services is what the actual the
9:03:44	7	title of the a/k/a is that we go by.
9:03:48	8	Q. Is that a sales position, is that an
9:03:50	9	engineering position, a network position? How would
19:03:53	10	you
)9:03:54	11	A. It's project management. It's separate.
)9:03:56	12	Q. Project management in terms of building
)9:03:59	13	facilities?
.:04:00	14	A. Build-out for customers that are specific
09:04:02	15	that come to me.
09:04:03	16	Q. So you really assist with build-outs for
09:04:07	17	particular customer needs?
09:04:08	18	A. Yes, particular cases that come to me to be
09:04:11	19	to be project manager.
09:04:14	20	Q. Okay. So by the time it lands on your desk
09:04:17	21	the customer has placed an order, facility some type
09:04:22	22	of facility change has been approved and you would
09:04:26	23	oversee that change in facilities?
09:04:27	24	A. Yes.
04:28	25	Q. Normally some type of construction?

		EDWARD JOHNSON - APRIL 11, 2002 S
:04:30	1	A. I would also have to have a contract, a signed
.04:33	2	contract, so
	3	Q. Right.
:04:34	4	A. So I mean, it's a done deal when I get it.
1:04:36	5	Q. So they've already made a sale to the customer
1:04:39	6	and you've got to assist and manage the building out of
):04:43	7	facilities or changing of electronics or whatever is
):04:46	8	needed for that augmentation to the network?
):04:49	9	A. Yes.
):04:51	10	Q. Okay. How long have you been in that
):04:53	11	position?
):04:54	12	A. Let's see, this is a year-and-a-half.
9:05:01	13	Since January 2000.
:05:06	14	Q. And just to be clear, you're employed by
9:05:09	15	Southwestern Bell Telephone Company?
9:05:09	16	A. Yes, that's where my paycheck comes from.
9:05:12	17	Q. And that's who you understand your employer to
9:05:15	18	be?
9:05:15	19	A. Yes.
9:05:16	20	Q. And before January 2000, what position did you
9:05:18	21	have with SWBT?

A. Network sales support.

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- Q. Did you have a title there?
- A. Manager, network sales support.
- Q. How long -- is that referred to as NSS?

	_		EDWARD JOHNSON - APRIL 11, 2002 9
9:05:34	1	Α.	Yes.
.05:34	2	Q.	And how long were you at the NSS, in that
9:05:37	3	position?	
9:05:40	4	Α.	June 1st of '96.
9:05:45	5	Q.	Until January 2000?
9:05:47	6	Α.	Right.
9:05:48	7	Q.	And before June 1st, '96, where did you work?
9:05:53	8	Α.	The outside OSP only or outside plant
9:06:00	9	planning.	
9:06:01	10	Q.	Outside plant planning?
9:06:02	11	Α.	Uh-huh.
9:06:02	12	Q.	What was your title?
9:06:03	13	Α.	It depends on what year it was. Mostly it
:06:06	14	was manag	er outside plant planning most of the time, in
9:06:11	15	engineeri	ng terms.
)9:06:12	16	Q.	Were you also an OSP engineer?
)9:06:16	17	Α.	Not there, not in the planning group.
)9:06:19	18	Q.	When were you an OSP engineer?
09:06:22	19	Α.	Before May of '81, prior. And back then it
09:06:33	20	was calle	d facility engineer.
09:06:35	21	Q.	Okay.
09:06:35	22	Α.	That title has been
09:06:39	23	Q.	But before June 1st, '96, you were a manager

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A. Yes, in the outside plant planning, yes.

at OSP planning?

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0. Outside plant manager.

Is that a position higher on the totem pole than engineer at OSP?

- A. No. It's all first line engineer. It's a first level job.
 - Q. Manager is?
 - A. Uh-huh.
 - Q. Okay. And engineer is also a first level job?
 - A. Yes.
 - Q. Okay.
- A. The only job that's been higher level has been the position I've had right now.
- Q. Okay. Were you managing anybody as a manager at OSP?
 - A. Not in NSS.
- Q. I'm talking about when you were in OSP planning.
 - A. I had one clerk.
- Q. Okay. Before you were a manager at OSP -- well, how long were you a manager at OSP?
- A. From '81 -- from May '81 until May of 1996, and the other part of the OSP was from December of '74 to May of '81, when I came -- when I was transferred to Houston from Western Electric.
 - Q. You've been helping them a long time.

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		EDWARD JOHNSON APRIL 11, 2002
:08:09	1	A. 31 years.
.08:10	2	Q. 31 years?
:08:11	3	A. Come this August. See if that adds up.
:08:16	4	Q. I'd be checking my pension amount about right
1:08:19	5	now.
1:08:21	6	And so December '74 is when you started
):08:28	7	with SWBT, correct?
9:08:30	8	A. With Southwestern Bell, right.
):08:31	9	Q. You've been with them ever since?
€:08:33	10	A. Right.
9:08:33	11	Q. And during this deposition, I may refer to it
∋:08:38	12	as SWBT just because it's faster for me to say and
9:08:41	13	easier for her to type.
:08:43	14	What does a senior project manager at
9:08:50	15	global markets, your current position, what does that
9:08:54	16	job entail?
9:08:58	17	A. I have a hand-off from NSS. We have a
9:09:04	18	hand-off meeting with all the people that's involved in
9:09:08	19	the project. We develop a timeline at the meeting. I
9:09:15	20	finalize it, publish it and then basically communicate
9:09:21	21	with those people as to their progress to meet that
9:09:25	22	timeline.

A. And there may be site visits involved with the 19:09:26 24 09:30 25 customer along that process. And during that time, I

9:09:26 23 Q. Uh-huh.

:09:38 1 may work with any number of people, whatever it takes to 09:43 2 get that project up.

Q. Right.

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- A. And basically it's -- the idea is to get it to a point where we can hand off that service to a customer and he can accept it and sign my get-out-of-jail letter, as we call it.
 - Q. Right.
 - A. It means we are finished.
- Q. As project manager, which individuals or teams are you managing? I mean, as a project manager, I envision someone who is coordinating this sort of virtual team concept to get -- make sure everybody is doing their job on time, within the timeline, to meet the due date for the project, right?
 - A. Right.
- Q. So which groups do you tend to be managing as a project manager?
- A. Generally I talk to the outside plant design engineer, the transport equipment engineers, construction. Sometimes that's the splicing foreman and the placing foreman. Sometimes it's just the CMC. It just depends on the person that I'm dealing with. And then the installation group, in this case for these services I'm doing it's one person, and the provisioning

		EDWARD JOHNSON - APRIL 11, 2002 13
):11:06	1	center that completes it, and usually the service order
:11:10	2	writer that writes the order, and circuit provisioning
7:11:14	3	that does all the plug ordering and the design of the
9:11:18	4	circuit to get it out to the field for special services
9:11:21	5	to get installed and provisioned.
9:11:24	6	Q. Okay. And by the time you said by the time
9:11:30	7	you have by the time you're working on a project, the
9:11:34	8	customer has already ordered the service?
9:11:40	9	A. He has agreed to buy it.
9:11:42	10	Q. Ordered and written in written form
9:11:44	11	committed to purchasing the service?
9:11:45	12	A. Correct.
9:11:46	13	Q. For a set amount of time?
:11:47	14	A. Correct.
19:11:47	15	Q. And at that point, because some augmentation
9:11:51	16	to the network is needed, you're involved, right?
)9:11:55	17	A. Yes, any construction I would be involved. If
)9:11:59	18	facility is available, I would not be involved.
)9:12:01	19	Q. If facilities are available, you're not
)9:12:03	20	involved?
09:12:04	21	A. I'm not involved.
09:12:05	22	Q. If construction is required, you are involved?

Q. What's your definition of construction?

A. Right.

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Any time that we -- outside plant engineer has Α.

to issue an authorization to build or we have to augment the equipment, construction is either engineering construction or -- if any work has to be done to change that facility that's there to make that facility work, then that's considered construction. If CPC can issue the -- if the service order writer can issue the order and it will flow through TIRKS to the installation, through the -- without me touching it, then I'm not involved. Or I'm not asked to be -- let me do it this way. It's up to the people to request me, and it's up to my boss to accept it or not accept it.

- Q. That would be a special cases situation?
- A. Yes.

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- Q. Okay. The situation -- if there were a situation where the only change that needed to be made for a circuit was to switch out the electronics or the cards at a MUX to change the drop-off capacity for that MUX, would that fall under construction or would that be another group?
 - A. That would be circuit provisioning.
 - Q. Circuit provisioning?
- A. They would order the plugs that they need or reinventory, if that's the case -- depending on how the equipment is inventoried now.
 - Q. Now, why is that not considered construction?

	A. We physically do not have to deploy somebody
	out there to make a hard wire change or a physical
	change. The installation people will basically plug and
	unplug as they need to do with the plugs that are
	delivered to them.

- Q. In that situation, is the swapping out of a card in a MUX or changing the drop-off capacity of a MUX considered a major construction effort at that point in time?
- A. If plugs are hard to get, yes, which we -
 I've been in that situation where we have had to either locate plugs, but usually the craft person that's responsible for it, he doesn't usually feel it's a major -- major deal. He has his laptop. He does his provisioning with the provisioning center.
- Q. How long does it take to swap out a card in a MUX?
- A. I'm not -- I haven't been there enough times to tell you. It's not long, but I'm not going to tell you it's going to be -- I'm not going to commit to it, because I'm not -- I haven't been there enough times when they've been doing the actual work.
- Q. Right. Would you assume it's under half an hour, as a ballpark?

MR. HARTLEY: Object to form.

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- :15:10 1 Q. Are we talking five minutes, a half hour, a day?
 - A. Probably half hour.

MR. HARTLEY: Object to form.

- Q. So on your construction team when you've got an order -- when you've got to do an augmentation to a network, whether you're laying additional fiber or putting in whole new nodes or whatever, you've got several people in other departments assisting you?
 - A. Yes.
- Q. You mentioned the OSP design engineer, the transport engineer, splicing foreman, people like that?
 - A. Right.
- Q. Okay. So once you have your kick-off meeting -- do you ever have your customers invited to the kick-off meeting?
 - A. No.
- Q. Have you ever been to a kick-off meeting where a customer representative has been there?
 - A. One time I have.
 - Q. It's happened before?
 - A. On rare occasions.
- Q. Right. So you -- that's when you put your timeline in place, get everybody committed to the due date when you're going to deliver that circuit, right?

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:16:32 Α. Yes. 1

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- Okay. And then you said as the project Ο. progresses throughout the building out of fiber, augmenting fiber or capacity or electronics, you would give periodic updates on the status, right?
- I would expect them to either e-mail me or call me, or I would call them and find out what the status is.
- So you keep your thumb on the pulse of the Ο. status of that project?
 - Correct. Α.
- Now, when you find out the status of the Q. 9:17:01 13 project, who do you notify?
 - I just mark it on a spreadsheet that I have. Α.
 - In terms of keeping the customer informed, do Q. you notify the customer directly or do you tell the account manager? How does that work?
 - Usually if they ask for that up front I will Α. do it. If they don't, then it's one -- just one of the points that -- the minor areas that we will just continue on to the next area.
 - If who requires it up front? Q.
 - If the customer has asked marketing to provide Α. that information or sales to be on some sort of update, on a daily, weekly, normally I don't do that.
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 - 17:43 25

:17:52 Q. Normally you don't do that?

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- Usually, if I have a meeting -- a lot of times the customers, the people that I'm dealing with, if they have a weekly meeting, we update them at that time. we have a monthly meeting... Some of them I may not even talk to.
- Is it acceptable at these kick-off meetings and other status update meetings for the retail salesperson or the special access sales person to attend the meeting? Is that acceptable?
 - Α. No.
 - They're not allowed? Q.
- Huh-uh, because I'm not -- we are doing -- I'm Α. on the retail sales and the marketing people that are doing that customer are not allowed to talk to access -the access sales people. They are not allowed to be in the same meeting.
- So the marketing people -- the retail sales Q. people are not allowed to talk to the access sales people?
- Α. Right. Or they are not allowed to know the -they're kept separate. Let me do it that way.
 - Q. Why is that?
- My -- someone else might get the credit for Α. 18:57 25 what they're doing.
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EDWARD JOHNSON - APRIL 11, 2002 :18:59 1 Q. It all goes down to the bottom line, doesn't it? .19:02 1:19:02 3 Α. Money. Because they're representing that 1:19:07 4 company and we are representing Southwestern Bell. The access people are representing the carriers. 1:19:10 5 They're a customer advocate within the SWBT 1:19:14 6 1:19:18 organization?):19:18 8 Right. Α.):19:19 9 But it's -- is there a reason the customer Ο.):19:22 10 advocate, the special access salesperson, couldn't attend your meeting just to assist? 9:19:27 11 He sells the same product that the global):19:29 12i Α. 7:19:32 13 markets people can sell. Okay. Who -- global markets has its own sales :19:36 14 Q. 3:19:41 15 people? 9:19:41 16 Yes. Α. Who do they sell to? ∋:19:41 17 Q. The companies that are -- let's see, that are 9:19:43 18 Α. contained in more than one state, five states, or now 9:19:48 19 9:19:52 20 | 13 -- within the 13 states, or within the continental 9:20:00 21 United States. If they're local customers, we don't 9:20:02 22 deal with them.

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O. Global markets is your global accounts list?

It's very large accounts?

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Ο.

Α.

Yes.

Α. Correct. :20:11

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- Your Fortune 500 groups? Q. .20:12
 - Yes, if you want to call it that. Α.
 - That helps me. Okay. That saves us a lot of Ο. time right there, because now I understand a little bit better.

So when you're managing the project, it's for the global markets account team?

- Right. Α.
- They brought in -- landed a big-fish account Q. and you need to augment the network to help provide that service to one of these big Fortune 100 or Fortune 500 accounts?
 - Correct. Α.
- So at your kick-off project meeting, is it Q. allowable for the global markets retail salesperson to attend if they want?
 - Α. Most assuredly.
 - O. Most assuredly?
 - Yes. Α.
- They would take a large interest in knowing Q. about the project, that it gets done according to customer specs and when it will be done, correct?
 - Correct. Α.
 - Okay. Q.
- 9:21:04 24
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- A. We encourage everyone on that mailing list 21:09 2 that NSS sends out to attend.

 9:21:12 3 Q. Okay.
 - A. And if they miss someone within the global markets, we try to include that person. Generally the only person that's -- they will usually miss would be the communication consultant, which is the one who writes the order who's the key --
 - Q. So NSS sends out the invite list for the kick-off meeting?
 - A. Yes.

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- Q. So NSS gets it going and then once the project gets going, you manage the project after the kick-off meeting?
- A. Once NSS sends out the letter, I am also -- at that point I call the meeting with those people and become manager, coordinator of that project at that point.
 - O. Right.
- A. It's up to them to send the letter out, identify the people up front, then I go from there.
- Q. And the kick-off meeting is where the engineers hand over the baton to you to --
- A. Right, and I've called it a hand-off versus a kick-off, just because it's clear to say they're handing

it to me. 1 9:22:23

> Right. Do you ever project manage 2 augmentations that are based on the needs of CLECs?

- Only if they're a global customer. Α.
- Only if they buy retail, right? Ο.
- Correct. Α.
- Right. So you don't oversee projects for build-out of a network where a CLEC needs to build out to serve one of his CLEC's world class clients?
 - Reexplain that one again. Α.
- Right. You oversee build-outs for SWBT's big Q. account clients, correct?
 - Correct. Α.
- You've never overseen a project where a CLEC Q. has requested a build-out where a CLEC could serve its 9:23:30 16 big account client?
 - Α. No.
 - Is that correct, you've never attended such a Q. meeting?
 - Not for a CLEC build-out in that regard. Α.
 - Okay. And I was talking about non-SWBT CLECs. Q.

Let's talk about ASI real quick. What 9:23:49 23 have you done in terms of managing projects for ASI?

> When an order is sold that's requiring ASI, Α. then I have to work with the -- once the order is in the

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system I work with their project manager to coordinate 1:24:00 that. They have their own project manager that's $\cdot 24:04$ usually identified somewheres in the process or when the 1:24:07 3 ! order is issued. 1:24:11 Q. Roughly how many ASI projects have you worked):24:14 5):24:17 on?

- Not more than ten, probably less than -- right now -- currently probably less than five --
 - Q. You've worked on five to ten --
 - Somewheres in there. Α.
- -- projects where you've managed network Q. build-out for an ASI based expansion?
- A. It was a customer request to buy service from ASI.
 - Okay. Q.

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- A. Not their expansion.
- Q. Let me be clear, because I get confused in these terms. Five or ten times you've had the occasion to project manage a situation where ASI has needed a SWBT network build-out so that ASI could serve its big account client?
- A. Yes. We have built -- basically it's been more of a service order issue than it has been a build-out.
 - Q. Okay. Explain that difference -- so five or

		EDWARD JOHNSON - APRIL 11, 2002	
:25:30	1	ten times you've done it on sort of a service order	
.25:35	2	basis?	
:25:35	3	A. We would build a SONET ring for the customer	
:25:38	4	that would interact with the interoffice that would	
	5	interact with the new client for ASI.	
:25:46	6	Q. And so to build on your ASI example, you've	
:25:49	7	project managed the build-out of a SONET ring?	
:25:51	8	A. Right.	
1:25:52	9	Q. So that ASI could serve ASI's big account	
):25:55	10	client?	
:25:55	11	A. Right.	
):25:56	12	Q. Okay. Do you remember where that was?	
):26:00	13	A. One was VA Hospital.	
:26:03	14	Q. VA Hospital?	
9:26:04	15	A. Yes.	
9:26:05	16	Q. In Houston?	
9:26:05	17	A. Yes.	
9:26:06	18	Q. Was that a double node SONET ring?	
9:26:08	19	A. Just a two-node ring.	
9:26:11	20	Q. Two-node ring.	
9:26:13	21	Do you remember other ones?	
9:26:17	22	A. Currently working on your company, as a matt	er
9:26:23	23	of fact, El Paso Global Networks, for a frame relay	

Q. Right. And that's where -- that's a frame

9:26:29 $24\mid$ project to go to all the CO cages in the state of Texas.

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:26:39 1 relay project, right?

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- A. Yes.
 - Q. That's a pretty big deal?
- A. Well, it's basically DS1s to each cage in each central office they elect to go to it to monitor their equipment.
 - O. What is that, like 100 DS1s?
- A. I think the last number I had was 120 or something.
- Q. Okay. And that's a good example, because in that case EPN negotiated a deal with ASI, right?
- A. No, they didn't. They signed a contract with Southwestern Bell Global.
 - Q. Global markets, right?
 - A. Yes.
 - Q. Okay.
- A. Then I would not normally get involved in that project, but I was requested to, so that's one of those unusual ones.
- Q. Okay. So there's the VA Hospital, and I guess you said that was a global markets deal. Let's stick to -- let me finish the ASI deals first. Okay?
 - A. Uh-huh.
 - Q. On the ASI, you gave me the VA Hospital in Houston?
- 9:27:44 24

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